

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Customer Number: 46320
:
Gabriel MONTERO : Confirmation Number: 1061
:
Application No.: 10/026,385 : Group Art Unit: 2142
:
Filed: December 21, 2001 : Examiner: M. Meucci
:
For: DYNAMIC PARTITIONING OF MESSAGE SYSTEM TOPICS

NOTICE OF APPEAL

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Appellant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated January 25, 2008.

There is **NO FEE REQUIRED** for this Notice of Appeal. Since Appellant has already paid the fee for the Notice of Appeal filed October 13, 2006, pursuant to M.P.E.P. § 1207.04, "[t]he previous paid notice of appeal fee and appeal brief fee can be applied to the new appeal."

___ Payment by credit card. Form PTO-2038 is attached.

X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 09-0461.

___ A Petition for Extension of Time under C.F.R. § 1.136(a) (PTO/SB/22) is enclosed.

Date: April 25, 2008

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
Steven M. Greenberg
Registration No. 44,725
Phone No. 561-922-3845
CUSTOMER NUMBER 46320